

House Study Bill 13 - Introduced

HOUSE RESOLUTION NO. _____

BY (PROPOSED COMMITTEE ON ETHICS RESOLUTION BY
CHAIRPERSON KOESTER)

1 A Resolution relating to the rules governing lobbyists
2 in the House of Representatives.

3 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES,
4 That the House Rules Governing Lobbyists shall be as
5 follows:

6 HOUSE RULES GOVERNING LOBBYISTS

7 1. DEFINITIONS OF TERMS. As used in these
8 rules, "client", "gift", "immediate family member",
9 "lobbyist", and "person" have the meanings provided
10 in section 68B.2 of the Code, except that the terms
11 "lobbyist" and "client" shall only refer to persons
12 who are lobbyists or clients of lobbyists of the house
13 of representatives. Except as otherwise provided,
14 "employee of the house" means a full-time permanent
15 paid employee of the house of representatives.

16 2. REGISTRATION REQUIRED.

17 a. All lobbyists shall, on or before the day their
18 lobbying activity begins, register in the manner
19 provided under section 68B.36 of the Code. Lobbyist
20 registration forms shall be available in the office of
21 the chief clerk of the house.

22 b. In addition each registered lobbyist shall file
23 with the chief clerk of the house a statement of the
24 general subjects of legislation in which the lobbyist
25 is or may be interested, the file number of the bills
26 and resolutions and the bill number of study bills,
27 if known, which will be lobbied, whether the lobbyist

1 intends to lobby for or against each bill, resolution,
2 or study bill, if known, and on whose behalf the
3 lobbyist is lobbying the bill, resolution, or study
4 bill. A lobbyist filing a declaration for a bill,
5 resolution, or study bill may also submit a position
6 statement with the declaration explaining the position
7 of the lobbyist's client on the bill, resolution, or
8 study bill. The chief clerk of the house shall include
9 in the electronic bill declaration system a method for
10 the submission of position statements by lobbyists.

11 Any change in or addition to the information
12 required by this rule shall be registered with the
13 chief clerk of the house within ten days from the time
14 the change or addition is known to the lobbyist.

15 c. Beginning with lobbyist registration for the
16 2012 session of the Eighty-fourth General Assembly,
17 lobbyist registration shall include an affirmation by
18 the lobbyist regarding compliance with rule 16.

19 3. CANCELLATION OF REGISTRATION. If a lobbyist's
20 service on behalf of a particular employer, client, or
21 cause is concluded after the lobbyist registers but
22 before the first day of the next legislative session,
23 the lobbyist shall cancel the registration in the
24 manner required under section 68B.36 of the Code. Upon
25 cancellation of registration, a person is prohibited
26 from engaging in any lobbying activity on behalf
27 of that particular employer, client, or cause until
28 reregistering and complying with the requirements of
29 section 68B.36 of the Code.

30 4. AMENDMENT OF REGISTRATION. If a registered

1 lobbyist represents more than one employer, client,
2 or cause and the lobbyist's services are concluded
3 on behalf of a particular employer, client, or cause
4 after the lobbyist registers but before the first day
5 of the next legislative session, the lobbyist shall
6 file an amendment to the lobbyist's registration
7 indicating which employer, client, or cause is no
8 longer represented by the lobbyist and the date upon
9 which the representation concluded.

10 If a lobbyist is retained by one or more additional
11 employers, clients, or causes after the lobbyist
12 registers but before the first day of the next
13 legislative session, the lobbyist shall file an
14 amendment to the lobbyist's registration indicating the
15 employer, client, or cause to be added and the date
16 upon which the representation begins.

17 Amendments to a lobbyist's registration regarding
18 changes which occur during the time that the general
19 assembly is in session shall be filed within one
20 working day after the date upon which the change in
21 the lobbyist's representation becomes effective.
22 Amendments regarding changes which occur when the
23 general assembly is not in session shall be filed
24 within ten days after the date upon which the change in
25 the lobbyist's representation becomes effective.

26 5. PUBLIC ACCESS. All information filed by a
27 lobbyist or a client of a lobbyist under chapter 68B
28 of the Code is a public record and open to public
29 inspection at any reasonable time.

30 6. CHARGE ACCOUNTS. Lobbyists and the clients

1 they represent shall not allow members of the house
2 to charge any amounts or items to a charge account to
3 be paid for by those lobbyists or by the clients they
4 represent.

5 7. ACCESS TO HOUSE FLOOR. Lobbyists shall only be
6 permitted on the floor of the house pursuant to ~~rule 20~~
7 ~~of the rules of the house~~ rules.

8 8. FEE OR BONUS PROHIBITED. A fee or bonus shall
9 not be paid to any lobbyist with reference to any
10 legislative action that is conditioned wholly or in
11 part upon the results attained by the lobbyist.

12 9. OFFERS OF ECONOMIC OR INVESTMENT OPPORTUNITY. A
13 lobbyist, employer, or client of a lobbyist shall not
14 offer economic or investment opportunity or promise
15 of employment to any member of the house with intent
16 to influence conduct in the performance of official
17 duties.

18 10. PERSONAL OR FINANCIAL OBLIGATION. A lobbyist
19 shall not do anything with the purpose of placing
20 a member of the house under personal or financial
21 obligation to a lobbyist or a lobbyist's principal or
22 agent.

23 11. ATTEMPTS TO CREATE ADDITIONAL EMPLOYMENT. A
24 lobbyist shall not cause or influence the introduction
25 of any bill or amendment for the purpose of being
26 employed to secure its passage or defeat.

27 12. CAMPAIGN SUPPORT. A lobbyist shall not
28 influence or attempt to influence a member's actions
29 by the promise of financial support for the member's
30 candidacy or threat of financial support for an

1 opposition candidate. A lobbyist shall not make a
2 campaign contribution to a member or to a member's
3 candidate's committee during the time that the general
4 assembly is in session.

5 13. COMMUNICATION WITH MEMBER'S EMPLOYER
6 PROHIBITED. A lobbyist shall not communicate with a
7 member's employer for the purpose of influencing a vote
8 of the member.

9 14. EXCESS PAYMENTS. A lobbyist shall not pay or
10 agree to pay to a member a price, fee, compensation,
11 or other consideration for the sale or lease of
12 any property or the furnishing of services which is
13 substantially in excess of that which other persons in
14 the same business or profession would charge in the
15 ordinary course of business.

16 15. PROHIBITION AGAINST GIFTS. A lobbyist or
17 client of a lobbyist shall not, directly or indirectly,
18 offer or make a gift or series of gifts to any member
19 or full-time permanent employee of the house or the
20 immediate family members of a member or full-time
21 permanent employee of the house except as otherwise
22 provided in section 68B.22 of the Code. ~~A lobbyist~~
23 ~~or client of a lobbyist who intends or plans to give~~
24 ~~a nonmonetary item, other than food or drink consumed~~
25 ~~in the presence of the donor, which does not have a~~
26 ~~readily ascertainable value, to a member or full-time~~
27 ~~permanent employee of the house, prior to giving or~~
28 ~~sending the item to the member or employee, shall seek~~
29 ~~approval of the item from the chief clerk of the house.~~
30 ~~A lobbyist or client of a lobbyist who seeks approval~~

~~1 of an item from the chief clerk shall submit the item~~
~~2 and evidence of the value of the item at the time that~~
~~3 approval is requested.~~

4 16. GIFT LAW REQUIREMENTS. A lobbyist shall inform
5 each of the lobbyist's clients of the requirements of
6 section 68B.22 of the Code ~~and of the responsibility to~~
7 ~~seek approval prior to giving or sending a nonmonetary~~
8 ~~item which does not have a readily ascertainable value~~
9 ~~to a member or a full-time permanent employee of the~~
10 house.

11 ~~16.~~ 17. FINANCIAL TRANSACTIONS. A lobbyist shall
12 not, directly or indirectly, make a loan to a member of
13 the house or to an employee of the house.

14 A loan prohibited under this section does not
15 include a loan made in the ordinary course of business
16 of a lobbyist if the primary business of the lobbyist
17 is something other than lobbying, if consideration of
18 equal or greater value is received by the lobbyist,
19 and if fair market value is given or received for the
20 benefit conferred.

21 ~~17.~~ 18. HONORARIA — RESTRICTIONS. A lobbyist
22 or client of a lobbyist shall not pay an honorarium
23 to a member or employee of the house for a speaking
24 engagement or other formal public appearance in the
25 official capacity of the member or employee except as
26 otherwise provided in section 68B.23 of the Code.

27 ~~18.~~ 19. COMPLAINTS. The procedures for complaints
28 and enforcement of these rules shall be the same as
29 those provided in the house code of ethics.

30 ~~19.~~ 20. PROCEDURES AND FORMS. The chief clerk of

1 the house, subject to the approval of the house ethics
2 committee, shall prescribe procedures for compliance
3 with these rules, and shall prepare forms for the
4 filing of complaints and make them available to any
5 person.

6 21. TAGS OR BADGES. During any 2011 regular
7 or extraordinary session, when engaged in lobbying
8 activities before the house, a lobbyist is encouraged
9 to wear, in a clearly visible manner, a tag or badge
10 bearing the lobbyist's name and designating the
11 lobbyist as such. The wearing of a tag or badge
12 described in this rule shall be mandatory for all
13 subsequent legislative sessions.